

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 8/17/2022
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SARAH BOUZEKRI, on behalf of herself and the	:
Class,	:
	:
Plaintiff,	:
	:
-against-	:
	:
	:
HYATT HOTELS CORPORATION, CHSP TRS	:
31ST STREET LLC d/b/a HYATT HERALD	:
SQUARE and ABC CORPORATIONS 1-100,	:
	:
Defendants.	:
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22-CV-4278 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS Plaintiff filed a complaint in New York State Supreme Court alleging violations of New York Human Rights Law and New York City Human Rights Law, *see* Dkt. 1;

WHEREAS Defendants removed this case pursuant to 28 U.S.C. § 1332(a) on May 24, 2022, Dkts. 1, 4;

WHEREAS on July 21, 2022, Defendant Hyatt Hotels Corporation was voluntarily dismissed from this action, Dkt. 12;

WHEREAS Defendant CHSP TRS 31<sup>st</sup> Street LLC (“CHSP”) was dissolved on June 2, 2021, *see id.* ¶ 11;

WHEREAS on July 28, 2022, Plaintiff was ordered to show cause for why default judgment should not be entered against Defendant CHSP, or show cause why the case should not be dismissed for failure to prosecute, *see* Dkt. 14;

WHEREAS on August 4, 2022, Plaintiff moved to amend the complaint to substitute Defendant CHSP with its alleged successor-in-interest, Blue 31<sup>st</sup> Street NYC LLC, and to add

newly identified defendants MHG 31st Street LLC and Crescent Hotels & Resorts LLC, *see* Dkt. 15;

WHEREAS “a limited liability company has the citizenship of its members,” *Jean-Louis v. Carrington Mortg. Servs., LLC*, 849 F. App’x 296, 298 (2d Cir. 2021);

WHEREAS a complaint premised upon diversity of citizenship must allege the citizenship of natural persons who are members of an LLC and the place of incorporation and principal place of business of any corporate entities that are members of the LLC (including the citizenship of any members of the LLC that are themselves LLCs), *see Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48, 51–52 (2d Cir. 2000); *In re Bank of Am. Corp. Sec., Derivatives, and ERISA Litig.*, 757 F. Supp. 2d 260, 334 n.17 (S.D.N.Y. 2010);

WHEREAS Plaintiff’s proposed amended complaint fails to allege the citizenship of the members of the individual LLCs of the proposed new defendants, *see* Dkt. 15 ¶¶ 9–11;

WHEREAS on August 8, 2022, Plaintiff was ordered to file an amended complaint that cures the deficiencies described herein by no later than August 15, 2022, *see* Dkt. 16;

WHEREAS on August 10, 2022, Plaintiff filed a notice of voluntary dismissal without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) against defendants ABC Corporations 1-100 and CHSP; and

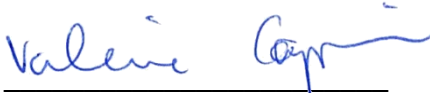
WHEREAS Plaintiff did not filed an amended complaint by the August 15, 2022 deadline.

IT IS HEREBY ORDERED that this case is DISMISSED without prejudice and without costs (including attorneys’ fees).

IT IS FURTHER ORDERED that the Clerk of Court is respectfully directed to terminate all open motions and to CLOSE the case.

**SO ORDERED.**

**Date: August 17, 2022**  
**New York, New York**

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**VALERIE CAPRONI**  
**United States District Judge**